



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes

BOARD OF ZONING APPEALS

Bobby Van Buren, Chairman
Larry Zenoni, Vice Chairman, Ward 3
Craig Smith, Ward 1
J. K. Lowman, Ward 2
David Hunter, Ward 4
Juanita Carmichael, Ward 5
Vacant, Ward 7

Monday, September 27, 2021

6:00 PM

City Hall Council Chambers

Present: Bobby Van Buren, Larry Zenoni, Craig Smith, J. K. Lowman and David Hunter

Absent: Juanita Carmichael

Staff:

Rusty Roth, Director, Development Services
Shelby Little, Planning & Zoning Manager
Sarah Ciccone, Planning & Zoning Administrator
Robin Osindele, Urban Planner
Gregg Litchfield, City Attorney
Ines Embler, Secretary to the Board

CALL TO ORDER:

Chairman Van Buren called the September 27, 2021 meeting of the Board of Zoning Appeals to order at 6:00 PM.

Chairman Van Buren explained the rules and procedures used in conducting the public hearings.

MINUTES:

20210791 August 30, 2021 Board of Zoning Appeals Meeting Minutes

Review and Approval of the August 30, 2021 Board of Zoning Appeals Meeting Minutes.

Mr. Hunter made a motion, seconded by Mr. Lowman that the August 30, 2021 Board of Zoning Appeals meeting minutes be approved. The Motion carried 5-0-0. Ward 7 is vacant. Mrs. Carmichael was absent.

A motion was made by Board member Hunter, seconded by Board member Lowman, that this matter be Approved and Finalized. The motion carried by the following vote:

Absent: 1

Vote For: 5

VARIANCES:

20210732 V2021-33 [VARIANCE] JAMES CLAY & ALLISON KAY COONEY

V2021-33 [VARIANCE] JAMES CLAY & ALLISON KAY COONEY are requesting variances for property zoned R-3 (Single Family Residential - 3 units/acre), located in Land Lot 1088, District 16, Parcel 0940, 2nd Section, Marietta, Cobb County, Georgia, and being known as 560 Etowah Drive. Variance to reduce the minimum lot size from 10,000 s.f. to 4,200 s.f. for the existing lot; variance to reduce the minimum lot width from 85' to 60' for the existing lot; variance to reduce the side yard setback for the existing house from 10' to 0'; variance to reduce the front yard setback from 25' to 6'; variance to reduce the rear yard setback from 30' to 28.' Ward 4B.

A public meeting was held.

Mr. James Cooney presented a variance request to reduce the minimum lot size from 10,000 s.f. to 4,200 s.f. for the existing lot; variance to reduce the minimum lot width from 85' to 60' for the existing lot; variance to reduce the side yard setback for the existing house from 10' to 0'; variance to reduce the front yard setback from 25' to 6'; variance to reduce the rear yard setback from 30' to 28.'

There was no opposition to this request.

Chairman Van Buren asked questions pertaining to the planned addition and Mr. Cooney responded satisfactorily.

The public hearing was closed.

A motion was made by Mr. Hunter to approve this application on the basis that it would not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare. It was seconded by Mr. Lowman. The Motion carried 5-0-0.

Variances approved:

- 1. Variance to reduce the minimum lot size from 10,000 square feet to 4,200 square feet. [§708.03 (H)]*
- 2. Variance to reduce the minimum lot width from 85' to 60.' [§708.03 (H)]*

3. *Variance to reduce the side yard setback for the existing house from 10' to 0.' [§708.03 (H)]*
4. *Variance to reduce the front yard setback from 25' to 6.' [§708.03 (H)]*
5. *Variance to reduce the rear yard setback from 30' to 28.' [§708.03 (H)]*

A motion was made by Board member Hunter, seconded by Board member Lowman, that this matter be Approved and Finalized. The motion carried by the following vote:

Absent: 1

Vote For: 5

20210741

V2021-34 [VARIANCE] PRO BUILDING SYSTEMS, INC (ASHCAR COMMERCIAL LLC)

V2021-34 [VARIANCE] PRO BUILDING SYSTEMS, INC (ASHCAR COMMERCIAL LLC) is requesting a variance for property zoned CRC (Community Retail Commercial) located in Land Lot 574, District 17, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia, and being known as 681 Cobb Parkway South. Variance to allow the use of ACM (Aluminum Composite Metal) panels on the side of a building facing a roadway. Ward 1A.

A public meeting was held.

Mr. Jacob Hinson, for the Applicant, presented a variance request to allow the use of ACM (Aluminum Composite Metal) panels on the side of a building facing a roadway.

There was no opposition to this request.

There were no questions from the Board Members.

The public hearing was closed.

A motion was made by Mr. Smith to approve this application on the basis that it would not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare. It was seconded by Mr. Lowman. The Motion carried 5-0-0.

Variances approved:

1. *Variance to allow the use of ACM (Aluminum Composite Metal) panels on the side of a building facing a roadway. [§708.16 (G.3)]*

A motion was made by Board member Smith, seconded by Board member Lowman, that this matter be Approved and Finalized. The motion carried by the following vote:

Absent: 1

Vote For: 5

20210742

V2021-35 [VARIANCE] JENNIFER STEINLE (SRPF A/TOWN &

COUNTRY, LLC)

V2021-35 [VARIANCE] JENNIFER STEINLE (SRPF A/TOWN & COUNTRY, LLC) are requesting variances for property zoned CRC (Community Retail Commercial), located in Land Lot 1209, District 16, Parcels 0160 & 0140, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1355 & 1387 Roswell Road. ~~Variance to allow gravel as an acceptable surface; variance to waive the 40 foot landscape buffer requirement; variance to waive the requirement that all animals shall be located within an enclosed building.~~ Ward 5A.

A public meeting was held.

Ms. Jennifer Steinle presented a ~~variance request to allow gravel as an acceptable surface; variance to waive the 40 foot landscape buffer requirement; variance to waive the requirement that all animals shall be located within an enclosed building.~~

There was no opposition to this request.

The Board Members asked questions pertaining to the location of the dog run and Ms. Steinle responded satisfactorily. She also stated that she no longer needs variance #2 (variance to allow gravel as an acceptable parking surface) because she will be putting artificial turf in its place.

The public hearing was closed.

A motion was made by Mr. Lowman to approve this application as stipulated on the basis that it would not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare. It was seconded by Mr. Smith. The Motion carried 5-0-0.

Variance approved:

- 1. Variance to waive the requirement that all animals shall be located within an enclosed building. [§708.16 (B.3.b)]*

Stipulation:

- 1. Dogs using the outdoor facility will be constantly supervised by staff.*

A motion was made by Board member Lowman, seconded by Board member Smith, that this matter be Approved as Stipulated. The motion carried by the following vote:

Absent: 1

Vote For: 5

OTHER BUSINESS:**20210785****2022 Board of Zoning Appeals Calendar of Meeting Dates****Review and Approval of the 2022 Board of Zoning Appeals Calendar.**

Mr. Hunter made a motion, seconded by Mr. Zenoni to approve the 2022 Board of Zoning Appeals Calendar. The Motion carried 5-0-0.

A motion was made by Board member Hunter, seconded by Board member Zenoni, that this matter be Approved and Finalized. The motion carried by the following vote:

Absent: 1

Vote For: 5

ADJOURNMENT:

The September 27, 2021 meeting of the Board of Zoning Appeals was adjourned at 6:17PM



BOBBY VAN BUREN, CHAIRMAN



SHELBY LITTLE, SECRETARY

